

against our colleague from Hawaii (ED CASE).

Representative CASE won a special election with 44 candidates on the ballot on January 4, 2003, by an overwhelming margin; and I want to commend the gentleman from Ohio (Chairman NEY) for the bipartisan cooperation that has been demonstrated throughout this process.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H. Res. 317.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### RESOLUTION DISMISSING ELECTION CONTEST AGAINST BART GORDON OF TENNESSEE

Mr. NEY, from the Committee on House Administration, submitted a privileged report (H. Rept. 108-208) on the resolution (H. Res. 318) dismissing the election contest against BART GORDON, which was referred to the House Calendar and ordered to be printed.

Mr. NEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 318) dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 318

*Resolved*, That the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee is dismissed.

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The SPEAKER pro tempore (Mr. SHAW). Is there objection to the request of the gentleman from Ohio?

Mr. LARSON of Connecticut. Mr. Speaker, reserving the right to object, I yield to the distinguished chairman, the gentleman from Ohio (Mr. NEY), to explain the purpose of this resolution.

Mr. NEY. Mr. Speaker, I thank the ranking member for yielding.

In keeping with the tradition of the dismissal of "Election Contest Day" here in the U.S. House, I rise in support of House Resolution 318, a bill to dismiss an election contest filed against

the gentleman from Texas (Mr. GORDON) in Tennessee's sixth district.

The contestant, a candidate on the November 2002 ballot against the gentleman from Tennessee (Mr. GORDON), filed a notice of contest under the Federal Contested Elections Act contending that the gentleman from Tennessee (Mr. GORDON) is unqualified for the office because the Constitution bars an incumbent from running for reelection without first resigning his or her seat and being an inactive member of the State Bar Association. The contestant makes no allegations of irregularities, fraud, or wrongdoing in respect to the election of the sixth congressional seat.

The committee finds that challenges to the qualifications of a Member-elect to serve in the Congress fall outside the purview of the FCEA, which was designed to consider allegations relating to the actual conduct of an election. Consequently, the committee concludes that the contestant's arguments regarding the qualifications of the gentleman from Tennessee (Mr. GORDON) to serve in Congress do not constitute grounds sufficient to change the results of the election and, therefore, recommends that this election contest be dismissed.

Again, in the frame of the other resolution, we had full support on this and deem it to be frivolous.

Mr. LARSON of Connecticut. Mr. Speaker, further reserving my right to object, I rise in support of this resolution reported unanimously by the Committee on House Administration, dismissed as a frivolous election contest against our colleague, the gentleman from Tennessee (Mr. GORDON). The gentleman from Tennessee (Mr. GORDON) was reelected with 66 percent of the vote.

Again, I would like to commend the gentleman from Ohio (Chairman NEY) for his fair-handed and fair-minded bipartisan cooperation that has been demonstrated throughout this process.

Mr. NEY. Mr. Speaker, if the gentleman will yield again briefly under his reservation, I would like to thank our ranking member, the gentleman from Connecticut (Mr. LARSON), and members of the committee for their work on these two issues.

Mr. LARSON of Connecticut. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 318.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later in the day today.

#### PERMITTING USE OF THE ROTUNDA TO COMMEMORATE THE UNVEILING OF THE STATUE OF SAKAKAWEA PROVIDED BY THE STATE OF NORTH DAKOTA FOR DISPLAY IN STATUARY HALL

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 236) permitting the use of the rotunda of the Capitol for a ceremony to commemorate the unveiling of the statue of Sakakawea provided by the State of North Dakota for display in Statuary Hall.

The Clerk read as follows:

H. CON. RES. 236

*Resolved by the House of Representatives (the Senate concurring)*, That the rotunda of the Capitol is authorized to be used on October 16, 2003, for a ceremony to commemorate the unveiling of the statue of Sakakawea provided by the State of North Dakota for display in Statuary Hall. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Connecticut (Mr. LARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 236. This legislation permits the use of the rotunda of the Capitol on October 16, 2003, for a ceremony to commemorate the unveiling of the statue of Sakakawea provided by the State of North Dakota.

In 1864, Congress enacted and created National Statuary Hall providing for the contribution of statues by the States. Each State is allowed to donate two statues to the Capitol of their most prominent citizens. North Dakota is one of three States which has not donated a second statue. Out of the 97 statues throughout the Capitol, there are only five women and three native Americans. North Dakota's current statue is John Burke, former Governor, U.S. Treasurer, and State Supreme Court Justice, which was donated in 1963.

The story of how the original statue of Sakakawea in North Dakota was